

Remarks

Claims 21-36 are pending in the subject application. By this Amendment, Applicants have canceled claims 1-20 and 31-34 and amended claims 27-30 and 35. Support for the amendments can be found throughout the subject specification and in the claims as originally filed. Entry and consideration of the amendments presented herein is respectfully requested. Accordingly, claims 21-30, 35, and 36 are currently before the Examiner. Favorable consideration of the pending claims is respectfully requested.

As an initial matter, Applicants note that the "Disposition of Claims" section indicates that claims 1-36 are pending, claims 1-20 are withdrawn from consideration and claims 27-36 are rejected. However, there is no indication of the status of claims 21-26. Applicants further note that the Office Action did not specifically reject claims 21-26 and that these same claims are, therefore, allowable over the prior art. Applicants have amended the claims and specification in accordance with the Examiner's suggestions in a manner so as to place the subject application in condition for allowance. Therefore, Applicants respectfully submit that the next communication from the Patent Office should be a Notice of Allowance of claims 21-30, 35, and 36. If the Examiner rejects any of the pending claims in the next Action, it is respectfully submitted that the next rejection should be non-final.

The Examiner indicates that "Reference WO 96/34981 was not considered because an English translation was not submitted in the parent patent application U.S. Serial No. 09/247,155." In addition, the Examiner indicates that certain of the references listed on Form PTO-1449 were not considered because a copy of the references was not found in the parent patent application. For the Examiner's convenience, Applicants are attaching with this Amendment a copy of each of the references not found in the '155 parent application. Applicants note that the abstract of the WO 96/34981 was provided in English. However, Applicants also note that the WO 96/34981 reference has issued as U.S. Patent No. 6,022,715 which is being provided to the Examiner for consideration. Applicants would request that the references be considered and made of record by the Examiner in the subject application.

The subject application has been amended in order to properly cite trademarks. Applicants have amended the specification to properly identify trademarks. Accordingly, reconsideration and withdrawal of the objection is respectfully requested.

Claims 27-30, 35, and 36 are rejected under 35 USC §112, second paragraph, as indefinite. By this Amendment Applicants have amended claims 27-30 in accordance with the Examiner's suggestion and it is respectfully submitted that these claims, as well as claims 35-36, are no longer indefinite. Accordingly, reconsideration and withdrawal of the rejection under 35 USC §112, second paragraph, is respectfully requested.

Claims 31-36 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants respectfully assert that there is adequate written description in the subject specification to convey to the ordinarily skilled artisan that they had possession of the claimed invention. However, as noted above, Applicants have canceled claims 31-34 and amended claims 35 and 36 to be dependent upon claims 21-30 (in order to expedite prosecution of the subject application to completion), thereby rendering the rejections of those claims moot. Accordingly, reconsideration and withdrawal of the rejections under 35 USC §112, first paragraph, is respectfully requested.

Claims 31-36 are rejected under 35 U.S.C. § 102(e) as anticipated by Ashkenazi *et al.* (1997). Applicants respectfully assert that the Ashkenazi *et al.* reference does not anticipate the claimed invention. As noted above, Applicants have canceled claims 31-34 and amended claim 35 to be dependent upon claims 21-30, thereby rendering the rejection of those claims moot. Accordingly, reconsideration and withdrawal of the rejection under 35 USC §103(a) is respectfully requested.

It should be understood that the amendments presented herein have been made solely to expedite prosecution of the subject application to completion and should not be construed as an indication of Applicants' agreement with or acquiescence in the Examiner's position. Applicants expressly reserve the right to pursue the invention(s) disclosed in the subject application, including any subject matter canceled or not pursued during prosecution of the subject application, in a related application.

In view of the foregoing remarks and amendments to the claims, Applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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Attachment: Third Supplemental Information Disclosure Statement